

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Medical Electrical Leads and Indwelling Catheters With Enhanced Biocompatibility and Biostability.

The specification of which

a. is attached hereto

b. X was filed on April 20, 1998 as application serial no. 09/063,327 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. _____ filed and as amended on _____ (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. X no such applications have been filed.

b. _____ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC §119

| COUNTRY | APPLICATION NUMBER | DATE OF FILING | DATE OF ISSUE |
|---------|--------------------|----------------|---------------|
| | | | |
| | | | |

ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)

| COUNTRY | APPLICATION NUMBER | DATE OF FILING | DATE OF ISSUE |
|---------|--------------------|----------------|---------------|
| | | | |
| | | | |

I hereby claim the benefit under Title 35, United States Code, §120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §156(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

1

§ 1.56 Duty of disclosure; fraud, striking or rejection of applications.

(a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

| U.S. APPLICATION NUMBER | DATE OF FILING | STATUS (patented, pending, abandoned) |
|-------------------------|----------------|---------------------------------------|
| | | |
| | | |

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

| | | | |
|------------------|-----------------|----------------------|-----------------|
| Harold R. Patton | Reg. No. 22,157 | Dianne M.F. Plunkett | Reg. No. 35,649 |
| Reed A. Duthler | Reg. No. 30,626 | Michael J. Jaro | Reg. No. 34,472 |
| Daniel W. Latham | Reg. No. 30,401 | Curtis D. Kinghorn | Reg. No. 33,926 |
| Michael B. Atlas | Reg. No. 30,606 | Thomas F. Woods | Reg. No. 36,726 |
| Peter Forrest | Reg. No. 33,235 | | |

Please direct all correspondence in this case to: Thomas F. Woods
Medtronic, Inc.
7000 Central Avenue N.E.,
Minneapolis, Minnesota 55432
Telephone No. (612) 514-3652

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | | |
|---------------------------|-------------------------|----------------------------|--------------------------|------------------------|
| 2 | Full Name of Inventor | FIRST NAME | MIDDLE INITIAL | LAST NAME |
| | | Jesus | W. | Casas-Bejar |
| 0 | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | | Brooklyn Park | Minnesota | Peru |
| 1 | POST OFFICE ADDRESS | POST OFFICE ADDRESS | CITY | STATE/ZIP/COUNTRY |
| | | 8968 Strafford Court North | Brooklyn Park | Minnesota 55443 US |
| SIGNATURE OF INVENTOR 201 | | | | Date |
| | | | | May 26, 1998 |
| 2 | Full Name of Inventor | FIRST NAME | MIDDLE INITIAL | LAST NAME |
| | | Darrel | F. | Untereker |
| 0 | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | | Cedar | Minnesota | US |
| 2 | POST OFFICE ADDRESS | POST OFFICE ADDRESS | CITY | STATE/ZIP/COUNTRY |
| | | 21730 Cedar Drive N.W. | Cedar | Minnesota 55011 US |
| SIGNATURE OF INVENTOR 202 | | | | Date |
| | | | | May 26, 1998 |
| 2 | Full Name of Inventor | FIRST NAME | MIDDLE INITIAL | LAST NAME |
| | | Maura | G. | Donovan |
| 0 | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | | St. Paul | Minnesota | US |
| 3 | POST OFFICE ADDRESS | POST OFFICE ADDRESS | CITY | STATE/ZIP/COUNTRY |
| | | 459 Woodlawn Avenue | St. Paul | Minnesota 55105 US |
| SIGNATURE OF INVENTOR 203 | | | | Date |
| | | | | May 27, 1998 |
| 2 | Full Name of Inventor | FIRST NAME | MIDDLE INITIAL | LAST NAME |
| | | Zhao | | Qinghong |
| 0 | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | | Andover | Minnesota | China |
| 4 | POST OFFICE ADDRESS | POST OFFICE ADDRESS | CITY | STATE/ZIP/COUNTRY |
| | | 1946 134th Lane | Andover | Minnesota 55304 US |
| SIGNATURE OF INVENTOR 204 | | | | Date |
| | | | | June 3, 1998 |

| | | | | |
|---------------------------|-------------------------|---------------------|--------------------------|------------------------|
| 2 | Full Name of Inventor | FIRST NAME | MIDDLE INITIAL | LAST NAME |
| 0 | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| 5 | POST OFFICE ADDRESS | POST OFFICE ADDRESS | CITY | STATE/ZIP/COUNTRY |
| SIGNATURE OF INVENTOR 205 | | | | Date |
| 2 | Full Name of Inventor | FIRST NAME | MIDDLE INITIAL | LAST NAME |
| 0 | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| 6 | POST OFFICE ADDRESS | POST OFFICE ADDRESS | CITY | STATE/ZIP/COUNTRY |
| SIGNATURE OF INVENTOR 206 | | | | Date |
| 2 | Full Name of Inventor | FIRST NAME | MIDDLE INITIAL | LAST NAME |
| 0 | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| 7 | POST OFFICE ADDRESS | POST OFFICE ADDRESS | CITY | STATE/ZIP/COUNTRY |
| SIGNATURE OF INVENTOR 207 | | | | Date |
| 2 | Full Name of Inventor | FIRST NAME | MIDDLE INITIAL | LAST NAME |
| 0 | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| 8 | POST OFFICE ADDRESS | POST OFFICE ADDRESS | CITY | STATE/ZIP/COUNTRY |
| SIGNATURE OF INVENTOR 208 | | | | Date |

ASSIGNMENT RECORDATION FORM COVER SHEET

Attorney Docket No. **P-7109**

FORM PTO-1584

1-31-92

PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Jesus W. Casas-Bejar
Darrel F. Untereker
Maura G. Donovan
Qinghong Zhao

Brian C.A. Fernandes
Timothy H. Robinson
Peter T. Schroeder

2. Name and address of receiving party(ies)

Name: MEDTRONIC, INC.

Internal Address: M.S. 301

Additional name(s) of conveying party(ies) attached? [] Yes [X] No

Street Address: 7000 CENTRAL AVENUE NORTHEAST

3. Nature of conveyance:

[X] Assignment [] Merger
[] Security Agreement [] Change of Name
[] Other

City: MINNEAPOLIS State: MN Zip: 55432

Execution Date: 5/26/98; 5/29/98; 5/27/98; 6/3/98; 5/26/98; 5/26/98; 5/26/98

Additional name(s) & address(es) attached? [] Yes [X] No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is filed April 20, 1998

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? [] Yes [X] No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Thomas F. Woods

Address: MEDTRONIC, INC.
7000 Central Avenue N.E.
M.S. 301
Minneapolis, Minnesota 55432

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00

[] Enclosed
[X] Authorized to be charged to deposit account

8. Deposit Account Number: 13-2546 (Attach duplicate copy of this page)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Thomas F. Woods

Name of Person Signing

Thomas F. Woods

Signature

6-10-98

Date

Total number of pages including cover sheet, attachments and document: 10

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of information systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), 1 Washington, D.C. 20503.

ASSIGNMENT

WHEREAS, I/we Jesus W. Casas-Bejar, Darrel F. Untereker, Maura G. Donovan, Qinghong Zhao, Brian C.A. Fernandes, Timothy H. Robinson, Peter T. Schroeder is/are the inventor(s) of ***Medical Electrical Leads and Indwelling Catheters With Enhanced Biocompatibility and Biostability*** for which we have executed an application for filing in the United States Patent and Trademark Office preparatory to obtaining Letters Patent of the United States on April 20, 1998; therefor; and

WHEREAS, MEDTRONIC, INC. a corporation organized and existing under the laws of the State of Minnesota and having a principal place of business at 7000 Central Avenue N.E., Minneapolis, Minnesota 55432 hereinafter referred to as "Corporation," is desirous of acquiring the entire right, title and interest in and to said invention for the United States and for all foreign countries and in and to any and all foreign and domestic Letters Patent which may be granted therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I have sold, assigned, transferred and set over and by these presents do sell, assign, transfer and set over unto Corporation, its successors and assigns, the entire right, title and interest in and to said invention and the entire right, title and interest in and to any and all Letters Patent of the United States and any foreign countries which may be granted therefor including my rights under the International Convention for the Protection of Industrial Property, and in and to any and all extensions, divisions or reissues of said Letters Patent that may be granted, the same to be held and enjoyed by Corporation for its own use and behalf and use and behalf of its successors and assigns to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by me had this assignment and sale not been made;

AND, for the consideration aforesaid, I materially represent to Corporation, its successors and assigns, that at the time of the execution and delivery of these presents, I am the sole lawful owners of the entire right, title and interest in and to the invention, application and Letters Patent above mentioned, and that the same are unencumbered, and that I have good right and lawful authority to sell and convey the same in the manner herein set forth;

AND, for the consideration aforesaid, I hereby individually covenant and agree to and with Corporation, its successors and assigns, that whenever its counsel or the counsel of its successors or assigns, learned in the law, shall advise that an amendment or division of, or any continuation-in-part thereof, or any other proceeding in connection with the filing or prosecution of said domestic or foreign patent applications, including interference proceedings, is lawful and desirable, or that a reissue or extension of said Letters Patent is lawful and desirable, I, or my executors, administrators or assigns will sign all papers and drawings, take all rightful oaths, and do all acts necessary or required to be done for the procurement of valid Letters Patent for said invention, or for the reissue or extension of the same, without charge to Corporation, its successors or assigns, but at Corporation's expense.

IN WITNESS WHEREOF, I have hereunto set my hand on this 26th day of May, 1998.

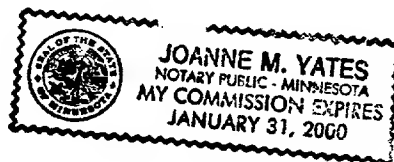

Jesus W. Casas-Bejar

State of Minnesota)
) ss.
County of Anoka)

On this 26 day of May, 1998, before me personally appeared Jesus W. Casas-Bejar, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF, I have hereunto affixed my official signature with the seal of my office, the day and year above written.

Joanne M. Yates
Notary Public



I hereby request the Honorable Commissioner of Patents and Trademarks to issue the Letters Patent to Corporation in accordance with this instrument.

IN WITNESS WHEREOF, I have hereunto set my hand on this 28 day of May, 1998.

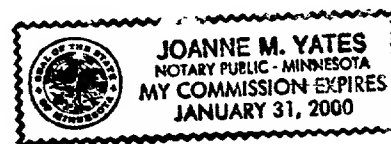
Darrel F. Untereker
Darrel F. Untereker

State of Minnesota)
) ss.
County of Anoka)

On this 28 day of May, 1998, before me personally appeared Darrel F. Untereker, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF, I have hereunto affixed my official signature with the seal of my office, the day and year above written.

Joanne M. Yates
Notary Public



I hereby request the Honorable Commissioner of Patents and Trademarks to issue the Letters Patent to Corporation in accordance with this instrument.

IN WITNESS WHEREOF, I have hereunto set my hand on this 27th day of May, 1998.

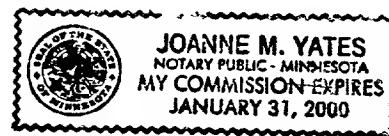
Maura G. Donovan
Maura G. Donovan

State of Minnesota)
) ss.
County of Anoka)

On this 27 day of May, 1998, before me personally appeared Maura G. Donovan, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF, I have hereunto affixed my official signature with the seal of my office, the day and year above written.

Joanne M. Yates
Notary Public



I hereby request the Honorable Commissioner of Patents and Trademarks to issue the Letters Patent to Corporation in accordance with this instrument.

IN WITNESS WHEREOF, I have hereunto set my hand on this 3rd day of June, 1998.

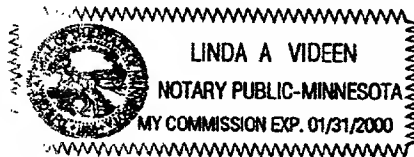
Qinghong Zhao
Qinghong Zhao

State of Minnesota)
) ss.
County of Anoka)

On this 3rd day of June, 1998, before me personally appeared Qinghong Zhao, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

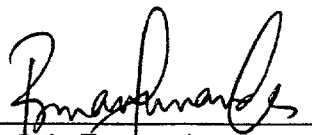
IN WITNESS WHEREOF, I have hereunto affixed my official signature with the seal of my office, the day and year above written.

Linda A. Vdeen
Notary Public



I hereby request the Honorable Commissioner of Patents and Trademarks to issue the Letters Patent to Corporation in accordance with this instrument.

IN WITNESS WHEREOF, I have hereunto set my hand on this 26 day of May, 1998.




Brian C.A. Fernandes

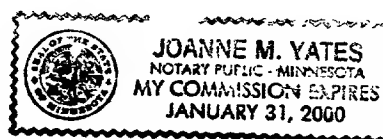
State of Minnesota)
) ss.
County of Anoka)

On this 26 day of May, 1998, before me personally appeared Brian C.A. Fernandes, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF, I have hereunto affixed my official signature with the seal of my office, the day and year above written.




Notary Public



I hereby request the Honorable Commissioner of Patents and Trademarks to issue the Letters Patent to Corporation in accordance with this instrument.

IN WITNESS WHEREOF, I have hereunto set my hand on this 26 day of May, 1998.

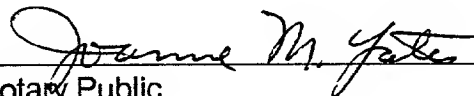


Timothy H. Robinson

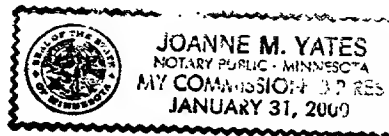
State of Minnesota)
) ss.
County of Anoka)

On this 26 day of May, 1998, before me personally appeared Timothy H. Robinson, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF, I have hereunto affixed my official signature with the seal of my office, the day and year above written.



Notary Public



I hereby request the Honorable Commissioner of Patents and Trademarks to issue the Letters Patent to Corporation in accordance with this instrument.

IN WITNESS WHEREOF, I have hereunto set my hand on this 26 day of May, 1998.

Peter Schroeder
Peter T. Schroeder

State of Minnesota)
) ss.
County of Anoka)

On this 26 day of May, 1998, before me personally appeared Peter T. Schroeder, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF, I have hereunto affixed my official signature with the seal of my office, the day and year above written.

Joanne M. Yates
Notary Public

